

# OVERVIEW OF CERTIFICATE OF NEED



# **Health Service Facilities Regulated by the CON Law [N.C.G.S. §131E-176(9b)]**

1. Acute Care Hospitals. [N.C.G.S. 131E-176(13)]
2. Inpatient Psychiatric Hospitals. [N.C.G.S. 131E-176(21)]
3. Inpatient Rehabilitation Hospitals. [N.C.G.S. 131E-176(22)]
4. Nursing Homes. [N.C.G.S. 131E-176(17b)]
5. Adult Care Homes. [N.C.G.S. 131E-176(1)]
6. Long-Term Care Hospitals. [N.C.G.S. 131E-176(14k)]
7. Intermediate Care Facilities for Individuals with Intellectual Disabilities. [N.C.G.S. 131E-176(14a)]
8. Chemical Dependency Treatment Facilities (inpatient & residential). [N.C.G.S. 131E-176(5a)]
9. Hospice Inpatient Facilities. [N.C.G.S. 131E-176(13b)]
10. Hospice Residential Care Facilities. [N.C.G.S. 131E-176(13c)]

# **Health Service Facilities Regulated by the CON Law (continued)**

11. Kidney Disease Treatment Centers (i.e., Certified End-Stage Renal Disease Facilities). [N.C.G.S. 131E-176(14e)]
12. Certified Home Health Agency Offices. [N.C.G.S. 131E-176(12)]
13. Diagnostic Centers. [N.C.G.S. 131E-176(7a)]
14. Hospice Programs and Offices. [N.C.G.S. 131E-176(13a)]
15. Ambulatory Surgical Facilities. [N.C.G.S. 131E-176(1b)]

# **Activities Requiring Certificate of Need Review**

## **[N.C.G.S. §131E-176(16)]**

1. Establishment of a new health service facility. [N.C.G.S. 131E-176(16a)] (See Health Service Facilities Regulated by the CON Law [N.C.G.S. 131E-176(9b)]).
2. Capital expenditure by any person for a health service in excess of \$2 million dollars. [N.C.G.S. 131E-176(16b)]

# Activities Requiring Certificate of Need Review (continued)

3. Change in bed capacity. [N.C.G.S. 131E 176(16)c, 176(5) and 176(9c)]

(i) Relocation of health service facility beds or dialysis stations. [N.C.G.S. 131E-176(5)(i)]

(ii) Change of health service facility beds from one category to another. [N.C.G.S. 131E-176(5)(ii)]

(iii) Increase in dialysis stations or health service facility beds. [N.C.G.S. 131E-176(5)(iii)]

# **Health service facility beds are defined in N.C.G.S. 131E-176(9c) to include:**

- a. acute care beds;
- b. inpatient psychiatric beds;
- c. inpatient rehabilitation beds;
- d. nursing home beds;
- e. intermediate care beds for Individuals with Intellectual Disabilities;
- f. chemical dependency treatment beds (inpatient and residential);
- g. hospice inpatient facility beds;
- h. hospice residential care facility beds;
- i. adult care home beds; and
- j. long-term care hospital beds.

# **Activities Requiring Certificate of Need Review (continued)**

4. Establishment of new dialysis services or home health services. [N.C.G.S. 131E-176(16d)]
5. Change in an approved CON project that includes cost overrun of 15% or the addition of a health service.  
[N.C.G.S. 131E-176(16e)]

# **Activities Requiring Certificate of Need Review (continued)**

6. The offering of any of the following services [N.C.G.S. 131E-176(16f)]:
  - a. Bone marrow transplantation;
  - b. Burn intensive care services;
  - c. Neonatal intensive care services (NICU);
  - d. Open-heart surgery services;
  - e. Solid organ transplantation services; and
  - f. Cardiac catheterization services.



# Activities Requiring Certificate of Need Review (continued)

7. The acquisition of any of the following equipment [N.C.G.S. 131E-176(16f)]:
  - a. Air ambulance; *[not enforced subject to a federal court order]*
  - b. Cardiac catheterization equipment;
  - c. Gamma knife equipment;
  - d. Heart-lung bypass machine;
  - e. Linear Accelerator for Radiation Therapy Treatments;
  - f. Lithotripter;
  - g. Magnetic Resonance Imaging (MRI) scanner;
  - h. Positron Emission Tomography (PET) scanner; and
  - i. Radiation Therapy Treatment Simulator.

# **Activities Requiring Certificate of Need Review (continued)**

8. The acquisition of a health service facility from an HMO.  
[N.C.G.S. 131E-176(16l)]
9. Conversion of non-health care beds to health care beds.  
[N.C.G.S. 131E-176(16m)]
10. Construction or establishment of a hospice, hospice inpatient facility, or hospice residential care facility.  
[N.C.G.S. 131E-176(16n)]
11. Opening of an additional office by an existing home health agency or hospice. [N.C.G.S. 131E-176(16o)]
12. Acquisition of major medical equipment (\$750,000 including costs of studies, design, construction, renovation and installation). [N.C.G.S. 131E-176(14o)]

# **Activities Requiring Certificate of Need Review (continued)**

13. Relocation of a health service facility from one service area to another. [N.C.G.S. 131E-176(16q) and 176(24a)]
14. Conversion of specialty ambulatory surgical program to a multispecialty ambulatory surgical program or the addition of a specialty to a specialty ambulatory surgical program. [N.C.G.S. 131E-176(16r), 176(15a) and 176(24c)]
15. Furnishing mobile medical equipment to any person in North Carolina if equipment was not in use in North Carolina prior to March 18, 1993. [N.C.G.S. 131E-176(16s)]

# Activities Requiring Certificate of Need Review (concluded)

16. Development or relocation of an operating room or gastrointestinal endoscopy room in a licensed health service facility, other than relocation within the same building, on the same grounds, or across a public right of way from the existing location. [N.C.G.S. 131E-176(16u)]
17. The change in designation of an operating room to a gastrointestinal endoscopy room or change in designation of a gastrointestinal endoscopy room to an operating room. [N.C.G.S. 131E-176(16v)]

